

**SUPREME COURT MINUTES
WEDNESDAY, NOVEMBER 1, 2006
SAN FRANCISCO, CALIFORNIA**

S033436**PEOPLE v. LEWIS (ALBERT) AND
OLIVER (ANTHONY C.)**

Opinion modified.
Petitions for rehearing denied.

S130860 H022727 Sixth Appellate District
Opinion modified. Petitions for rehearing denied.

PEOPLE v. DOMINGUEZ (FERNANDO)

S145927 B179370 Second Appellate Dist., Div. 1 **HARRIS (GENE) v. VERIZON COMM.**
The requests for an order directing depublication of the opinion in the above-entitled appeal are denied.

S146041 D047847 Fourth Appellate Dist., Div. 1 **U. (A.), IN RE**
Petition for review denied. The Reporter of Decisions is directed to publish in the Official Appellate Reports the opinion in the above entitled appeal filed July 12, 2006, which appears at 141 Cal.App.4th 326.. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

S126664 **C. (BEN), CONSERVATORSHIP OF**
Courtroom View Network's request to photograph, record or broadcast, filed October 27, 2006, is denied. (Cal. Rules of Court, rule 980, subds. (b)(2), (e)(3)(B).)

S132972 **VINEYARD AREA CITIZENS FOR
RESPONSIBLE GROWTH, INC. v. CITY
OF RANCHO CORDOVA (SUNRISE
DOUGLAS PROPERTY OWNERS
ASSOCIATION)**

Courtroom View Network's request to photograph, record or broadcast, filed October 27, 2006, is denied. (Cal. Rules of Court, rule 980, subds. (b)(2), (e)(3)(B).)

S145231 G035001 Fourth Appellate District, Div. 3 **PEOPLE v. LAMAS (ROBERT A.)**
Petition for review granted.
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno & Corrigan, JJ.

S145458 C048825 Third Appellate District **PEOPLE v. CHANCE (KENNETH W.)**

Respondent's petition for review granted. Appellant's petition for review denied. The issues to be briefed and argued are limited to the following: Could defendant be convicted of assault with a firearm on a peace officer when his gun was pointing in the opposite direction from the officer and there was no bullet in the firing chamber, or, on such facts, would a battery not have "immediately" resulted from his conduct and did he lack the "present ability to inflict injury" within the meaning of Penal Code section 240?

Votes: George, C. J., Kennard, Baxter, Werdegart, Chin, Moreno and Corrigan, JJ.

S147345 D046435 Fourth Appellate District, Div. 1 **TOBACCO II CASES**

Petition for review granted.

George, C. J., was recused and did not participate.

Votes: Werdegart, ACJ., Kennard, Baxter, Chin, Moreno and Corrigan, JJ.

S145775 B188106 Second Appellate District, Div. 3 **PFIZER, INC. v. S.C. (GALFANO) STEVE**

Petition for review granted. Further action in this matter is deferred pending consideration and disposition of a related issue in *In re Tobacco II* cases, S147345 (see Cal. Rules of Court, rule 282(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Chin and Corrigan, JJ., are recused and did not participate.

Votes: George, C. J., Kennard, Baxter, Werdegart and Moreno, JJ.

S146832 H029224 Sixth Appellate District **PEOPLE v. BAEZ (BERNARDO)**

Petition for review granted.

Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Crandelly*, S134883 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court.

Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C. J., Kennard, Baxter, Werdegart, Chin, Moreno and Corrigan, JJ.

S146638 C053465 Third Appellate District **HAYES (BLUFFORD) v. S.C. (HASTINGS)**

Petition for review granted.

The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its order denying mandate and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar. The stay order issued by Chief Justice George will remain in effect pending further order of the Court of Appeal. The Court of Appeal's order, filed on September 8, 2006, granting petitioner's motion to seal the petition for writ of mandate and the exhibits remains in effect.

Votes: George, C. J., Kennard, Baxter, Werdegart, Chin, Moreno and Corrigan, JJ.

S124395 C042493/C043377 Third Appellate District **SACRAMENTO POLICE OFFICERS ASSOCIATION v. CITY SACRAMENTO**

The above-entitled matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its decision and to reconsider the cause in light of *Claremont Police Officers Assn. v. City of Claremont* (2006) 39 Cal.4th 623. (Cal. Rules of Court, rule 29.3(d).)

S135231 G033762 Fourth Appellate District, Div. 3 **PEOPLE v. MILLER (MASON G.)**

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its decision and to reconsider the cause of *People v. Moore* (2006) 39 Cal.4th 168. (Cal. Rules of Court, rule 29.3(d).)

Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno & Corrigan, JJ.

S072082**MILLWEE (DONALD R.) ON H.C.**

The petition for writ of habeas corpus is denied on the merits.

S120084**MILLWEE (DONALD R.) ON H.C.**

The petition for habeas corpus, filed on November 22, 2000, is denied.

Claims I-VI, VIII-XII, and XIV are barred as untimely. (*In re Robbins* (1998) 18 Cal.4th 770; *In re Clark* (1993) 5 Cal.4th 750.) Claim VII is also barred as untimely to the extent it asserts the guilt evidence was legally insufficient. Claim XVIII is also barred as untimely to the extent it alleges that evidence was lost, or not preserved, because of delays in certifying the record on appeal. In addition, Claims I-VI, VIII-XI, XII.D, XII.F-XII.Q, and XIV are barred as successive. (*In re Robbins, supra*, 18 Cal.4th at p.788, fn.9; *In re Clark, supra*, 5 Cal.4th at pp.768, 782; *In re Horowitz* (1949) 33 Cal.2d 534, 546-547.) Claim VII is also barred as successive to the extent it asserts the guilt evidence was legally insufficient. Claim XVIII is also barred as successive to the extent it alleges that evidence was lost, or not preserved, because of delays in certifying the record on appeal.

In addition, Claims XII.A-XII.C and XII.E are barred as successive except insofar as they duplicate claims made in a prior petition for habeas corpus; to that extent, they are barred as repetitive (*In re Miller* (1941) 17 Cal.2d 734).

To the extent they repeat claims raised and rejected on direct appeal, and except insofar as they assert ineffective assistance of trial counsel, Claims IV and V are barred under *In re Waltreus* (1965) 62 Cal.2d 218, 225. Insofar as Claim VII raises challenges to the legal sufficiency of the guilt evidence that were previously raised and rejected on direct appeal, it is also barred under *Waltreus*.

To the extent they could and should have been, but were not, raised on direct appeal, and except insofar as they assert ineffective assistance of trial counsel, Claims III-IX, XI, and XIV are barred under *In re Dixon* (1953) 41 Cal.2d 756, 759. Insofar as Claim VII raises challenges to the legal sufficiency of the guilt evidence that could and should have been, but were not, raised on direct appeal, it is also barred under *Dixon*.

Insofar as Claim VII asserts the legal insufficiency of the guilt evidence, it is not cognizable on habeas corpus. (*In re Lindley* (1947) 29 Cal.2d 709, 723.)

Insofar as Claim IX constitutes a direct assertion that evidence was erroneously admitted, it is not cognizable on habeas corpus. (*In re Lindley, supra*, 29 Cal.2d 709, 723.) With the exception of Claims XIX and XX, all claims are denied on the merits. Claim XX is denied as premature. The motion for stay of final adjudication of the petition for habeas corpus (Claim XIX) is denied on the merits, and as moot.

S145954 E037144 Fourth Appellate District, Div 2 **PEOPLE v. JOHNSON (MARCIA A.)**

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S145981

A114534 First Appellate District, Div. 5

NELSON (SCOTT L.) ON H.C.

Petition for review denied.

S146000 G033808 Fourth Appellate District, Div. 3 **PEOPLE v. CARRILLO (RODOLFO)**
Petitions for review denied.

S146004 B183512 Second Appellate District, Div. 8 **PROSSER (REGINA) v. OSBORNE (MARK)**
Petition for review denied.

S146020 B181971 Second Appellate District, Div. 2 **PEOPLE v. DAVIS (CHRISTOPHER T.)**
Petitions for review denied.

S146022 G035284 Fourth Appellate District, Div. 3 **PEOPLE v. NGUYEN (PHONG Q.)**
Petition for review denied.

S146041 D047847 Fourth Appellate District, Div. 1 **U. (A.), IN RE**
Petition for review denied.
The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed July 12, 2006, which appears at 141 Cal.App.4th 326. (Cal. Const., art. VI, section 14; rule 976, Cal. Rules of Court.)

S146044 C051028 Third Appellate District **PEOPLE v. WARD (ELTON G.)**
Petition for review denied.

S146051 A112673 First Appellate District, Div. 3 **ANDRADE (LIBER R.) ON H.C.**
Petition for review denied.
Kennard and Moreno, JJ., are of the opinion the petition should be granted.

S146057 A107302 First Appellate District, Div. 2 **PEOPLE v. NUNEZ (KELLI J.)**
Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146058 A114781 First Appellate District, Div. 1 **WHITAKER (FRED A.) v. S.C. (GAZZALIS SUPERMARKET CORPORATION)**
Petition for review denied.
Corrigan, J., was recused and did not participate.

S146079 B184353/B186445 Second Appellate District, Div. 2 **PEOPLE v. ARMSTRONG (LAVELLE E.)**
Petitions for review denied.

S146109 D048750 Fourth Appellate District, Div 1 **MIMS (PATRICK) ON H.C.**

Petition for review denied.

S146129 B181975 Second Appellate District, Div. 4 **PEOPLE v. KELLY (JERRY L.)**
Petition for review denied.

S146133 B181653 Second Appellate District, Div. 8 **PEOPLE v. JONES (BENNY)**
Petition for review denied.

S146142 B179017 Second Appellate District, Div. 7 **PEOPLE v. RAYFORD (JUAN M.)**
Petitions for review denied.
Kennard, J., is of the opinion the petition should be granted.

S146147 A109748 First Appellate District, Div. 3 **PEOPLE v. GRAY (GEORGE C.)**
Petition for review denied.

S146150 D045154/DO45579 Fourth Appellate District, Div. 1 **BURELL-WILSON (BENETTA) v. FORD
MOTOR COMPANY**
Petition for review & depublication request denied.

S146154 C048285 Third Appellate District **PEOPLE v. CLARK (ERNEST E.)**
Petition for review denied.

S146160 B183836 Second Appellate District, Div. 4 **PEOPLE v. Y. (JOSE)**
Petition for review denied.

S146163 F048104 Fifth Appellate District **PEOPLE v. HUFF (WILLIAM T.)**
Petition for review denied.

S146164 A110937 First Appellate District, Div. 5 **PEOPLE v. VELASQUEZ (RAYMOND J.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146173 B183772 Second Appellate District, Div. 2 **PEOPLE v. JIMENEZ (CARLOS A.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146182 H030457 Sixth Appellate District **HEMPSTEAD (FRED) ON H.C.**
Petition for review denied.

Kennard, Werdegar, and Moreno, JJ., are of the opinion the petition should be granted.

S146192	C049930 Third Appellate District	PEOPLE v. CLARK (RICHARD G.)
Petition for review denied.		
S146202	B179284 Second Appellate District, Div. 7	PEOPLE v. BLADES (PAUL J.)
Petition for review denied.		
S146231	A112418 First Appellate District, Div. 2	W. (D.), IN RE
Petition for review denied.		
S146266	B177583 Second Appellate District, Div. 4	PEOPLE v. BLAKE (KENNETH W.)
Petition for review denied.		
S146277	B192255 Second Appellate District, Div. 4	NAKASHIMA (ROY H.) ON H.C.
Petition for review denied.		
Request for judicial notice denied.		
S146281	A112481 First Appellate District, Div 4	FEIED (FREDERICK) v. THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
Petition for review denied.		
S146297	E036689 Fourth Appellate District, Div. 2	PEOPLE v. SCHUMANN (KATHERINE)
Petitions for review denied.		
S146323	B192689 Second Appellate District, Div. 3	WHITE (RICKY) v. S.C. (PEOPLE)
Petition for review denied.		
S146340	B175315 Second Appellate District, Div. 8	PEOPLE v. ESCALERA (JAIME)
Petition for review denied.		
S146354	B184416 Second Appellate District, Div. 5	PEOPLE v. FEATHERS (SAMUEL)
Petition for review denied.		

S146391	F048006 Fifth Appellate District	PEOPLE v. JONES (DAVID L.)
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in <i>Cunningham v. California</i> , No. 05-6551, the effect of <i>Blakely v. Washington</i> (2004) 542 U.S. 296 and <i>United States v. Booker</i> (2005) 543 U.S. 220, on California law.		
S146403	B184566 Second Appellate District, Div. 6	PEOPLE v. THOMPSON (JUAN L.)
Petition for review & depublication request denied.		
S146404	A107186 First Appellate District, Div. 1	PEOPLE v. CENDEJAS (RALPH A.)
Petition for review denied.		
S146457	D045933 Fourth Appellate District, Div. 1	FLOWER (MARIANNE) v. PEP BOYS
Petition for review denied		
S146463	E039263 Fourth Appellate District, Div. 2	PEOPLE v. GREEN (GEROLD B.)
Petition for review denied.		
S146484	B193194 Second Appellate District, Div. 5	GOODWIN v. S.C. (HARDY)
Petition for review denied.		
S146491	F050220 Fifth Appellate District	H. (RAYMOND), IN RE
Petition for review denied.		
S146518	A111432 First Appellate District, Div. 2	PEOPLE v. MAY (KEVIN L.)
Petition for review denied.		
S146527	B191877 Second Appellate District, Div. 1	AGUILAR (TERESA) v. OVERTON LYMAN & PRINCE LLP
Petition for review denied.		
S146532	A114230 Fourth Appellate District, Div. 3	ALAMEDA COUNTY v. S.C. (THORNBORROW)
Petition for review denied.		
S146541	F049597 Fifth Appellate District	RODRIGUEZ (GILBERT) v. WILLOW LAKE APARTMENTS
Petition for review denied.		

S146554 C051343/C051693 Third Appellate District **T. (ALEXUS), IN RE**
Petition for review denied.

S146578 A109216 First Appellate District, Div. 3 **PEOPLE v. ROYAL (MARTIN D.)**
Petition for review denied.

S146588 **TENG (CHIH H.) v. FOURTH APPELLATE DISTRICT COURT OF APPEAL (DMV)**
Petition for writ of mandate denied.

S146616 B186284 Second Appellate District, Div. 6 **PEOPLE v. SAMANIEGO (FRANCISCO)**
Petition for review denied.

S146620 C053323 Third Appellate District **ASHANTI (ASKIA) v. SCHWARZENEGGER (ARNOLD)**
Petition for review denied.

S146625 B183157 Second Appellate District, Div. 8 **PEOPLE v. GLAZE (RODNEY)**
Petition for review denied.

S146629 B183717 Second Appellate District, Div. 5 **O'GUYN (DONNA) v. CEDARS SINAI MEDICAL CENTER**
Petition for review denied.

S146633 A110192 First Appellate District, Div. 5 **PEOPLE v. HEPNER (CURTIS A.)**
Petition for review denied.

S146657 B183920 Second Appellate District, Div. 5 **ACCUCHEX CORPORATION v. PAYCHEX, INC.**
Petition for review denied.

S146658 B185187 Second Appellate District, Div. 4 **MCMULLEN (HUGH S.) v. HAYCOCK (DON H.)**
Petition for review denied.

S146664 H030497 Sixth Appellate District

Petition for review denied.

**MOLINA (FRANCISCO) v. S.C. (FRYS
(ELECTRONICS))**

S146680 D047777 Fourth Appellate District, Div. 1

Petition for review denied.

**HAZARD CENTER ASSOCIATES v. SAN
DIEGO, CITY OF**

S146700 B192809 Second Appellate District, Div. 7

Request for judicial notice and petition for review denied.

**CAMPBELL (CARMEN E.) v. CURA CARE
CO.**

S146742 B183373 Second Appellate District, Div. 4

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. FLORES (RICHARD)

S146764 A111658 First Appellate District, Div. 5
request for judicial notice and petition for review denied.

G. (K.), IN RE

S146771 E041109 Fourth Appellate District, Div. 2
Petition for review denied.

MCNEIL (MICHAEL) v. S.C. (PEOPLE)

S146772 C046264 Third Appellate District

Petition for review denied.

**WARREN (DAVID) v. CROSSWOODS
HOMEOWNERS ASSOCIATION**

S146784 C050071 Third Appellate District
Petition for review denied.

PEOPLE v. KAIBAN (DANIEL S.)

S146788 F048820 Fifth Appellate District
Petition for review denied.

PEOPLE v. RENEAU (ROBERT L.)

S146791 E041055 Fourth Appellate District, Div. 2
Petition for review denied.

ARREDONDO (JOSE) v. S.C. (PEOPLE)

S146792 A112260 First Appellate District, Div. 1
Petition for review denied.

P. (T.), IN RE

S146793 B185001 Second Appellate District, Div. 6

PEOPLE v. TARLTON (TONY R.)

Petition for review denied.

S146800 H030542 Sixth Appellate District

**GUTIERREZ (ROBERTO M.) ON
H.C.**

Petition for review denied.

S146803 B186925 Second Appellate District, Div. 8

PEOPLE v. CARDENAS (JUAN G.)

Petition for review denied.

S146810 C049864/C051569 Third Appellate District

P. (R.), IN RE

Petition for review denied.

S146815 C048087 Third Appellate District

PEOPLE v. HAYES (CLARENCE J.)

Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146830 C049627 Third Appellate District

PEOPLE v. CANARY (CRAIG R.)

Petition for review denied.

S146831 A114893 First Appellate District, Div. 2

**DYE (RICHARD) v. S.C. (MEDICAL
BOARD OF CALIFORNIA)**

Petition for review denied.

S146846 B193240 Second Appellate District, Div. 2

**NUTMEG INSURANCE COMPANY v. S.C.
(THE HOUSING AUTHORITY OF THE
CITY OF LOS ANGELES)**

Petition for review denied.

S146848 B186808 Second Appellate District, Div. 2

PEOPLE v. JOVEL (CARLOS I.)

Petition for review denied.

S146849 C048122 Third Appellate District

PEOPLE v. NEY (CHRISTINE S.)

Petition for review denied.

S146851 A110896 First Appellate District, Div. 3 **PEOPLE v. PHILLIPS (JOHN O.)**
Petition for review denied.

S146853 B182958 Second Appellate District, Div. 7 **RAMIREZ (SALLY) v. BUTCHER (JULIE)**
Petition for review denied.

S146854 B191431 Second Appellate District, Div. 3 **BLANPEA (JILL) v. W.C.A.B.**
Petition for review denied.

S146855 B184843 Second Appellate District, Div. 2 **PEOPLE v. KIM (JOONG M.)**
Petition for review denied.

S146862 A109154 First Appellate District, Div. 2 **PEOPLE v. CURRIE (DELANO)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146865 B181122 Second Appellate District, Div. 4 **PEOPLE v. HAMMONTREE (RICKY H.)**
Petition for review denied.

S146866 C049800 Third Appellate District **PEOPLE v. TORRES (GEORGE N.)**
Petition for review denied.

S146876 H030567 Sixth Appellate District **RESENDIZ (JOSE E.) v. S.C. (PEOPLE)**
Petition for review denied.

S146880 A110663 First Appellate District, Div. 2 **PEOPLE v. SMITH (DONALD W.)**
Petition for review denied.

S146881 D047886 Fourth Appellate District, Div. 1 **PEOPLE v. CROUSE (LOREN)**
Petition for review denied.

S146883 B183765 Second Appellate District, Div. 8 **PEOPLE v. BECERRA (IGNACIO)**
Petitions for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146884 B176413 Second Appellate District, Div. 1 **PEOPLE v. JURCOANE (JOSIF)**

Petition for review denied.

S146886 C050694 Third Appellate District
Petition for review denied.

H. (JAMES), IN RE

S146890 B186625 Second Appellate District, Div. 2
Petition for review denied.

PEOPLE v. BARRIOS (GABRIEL)

S146895 B187045 Second Appellate District, Div. 4
Petition for review denied.

**GHANIZADEH (MINA) v. MOGHTADER
(MICHAEL H.)**

S146897 H030353 Sixth Appellate District
Petition for review denied.

**MUSIC PUBLIC BROADCASTING v. S.C.
(GLOBIX CORPORATION)**

S146902 C053611 Third Appellate District
Petition for review denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)

ANAYA (RICHARD) v. S.C. (PEOPLE)

S146904 F048567 Fifth Appellate District
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

PEOPLE v. REED (JACKIE R.)

S146905 F048337 Fifth Appellate District
Petition for review denied.

**DEAN (JAMES B.) v. COUNTY OF
MARIPOSA (ALFIER)**

S146906 H028492 Sixth Appellate District
Petition for review denied.

PEOPLE v. BLAN (JEFFREY C.)

S146917 B185074 Second Appellate District, Div. 3
Petition for review denied.

J. (D.), IN RE

S146928 C049319 Third Appellate District
Petition for review denied.

PEOPLE v. SANDOVAL (HERMAN G.)

S146929 D046076 Fourth Appellate District, Div. 2
Petition for review denied.

PEOPLE v. BAHENA (ENRIQUE)

S146935 B176434 Second Appellate District, Div. 6 **MURRELL (JOYCE) v. MANKOWSKI (MARY L.)**

Petition for review denied.

S146942 A112490 First Appellate District, Div. 5 **PEOPLE v. HALL (TYRONE L.)**
Petition for review denied.

S146945 A106916 First Appellate District, Div. 3 **PEOPLE v. JONES (LEONARD C.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S146961 C050880 Third Appellate District **PEOPLE v. ADUDELLE (GEORGE T.)**
Petition for review denied.

S146964 H027711 Sixth Appellate District **PEOPLE v. CARDONA (JOHN F.)**
Petition for review denied.

S146968 E041262 Fourth Appellate District, Div. 2 **BOBBY (MICHAEL) v. S.C. (PEOPLE)**
Petition for review denied.

S146984 B184118 Second Appellate District, Div. 2 **PEOPLE v. RICHARDSON (ANGUS)**
Petition for review denied.

S146986 E036988 Fourth Appellate District, Div. 2 **PEOPLE v. CORTINA (CLEO)**
Petition for review denied.

S146991 B179607 Second Appellate District, Div. 2 **ALAN KLARIK ENTERPRISES, INC. v. VIVA OPTIQUE, INC.**
Petition for review denied.

S146998 B186471 Second Appellate District, Div. 7 **G. (MANUEL), IN RE**
Petition for review denied.

S147088 **BELL (HORACE) v. CLARK (KEN)**
Petition for writ of mandate denied.

S147315

Petition for writ of mandate denied.
George, C. J., was absent and did not participate.

OGILVIE (JAN E.) v. S.C. (DOVEY)**S140547****ENVIRONMENTAL PROTECTION
INFORMATION CENTER v.
CALIFORNIA DEPARTMENT OF
FORESTRY & FIRE PROTECTION
(PACIFIC LUMBER COMPANY)**

The application of California Building Industry Association, Building Industry Legal Defense Foundation, California Business Properties Association, Imperial Irrigation District, Kern Water Bank Authority, Consulting Engineers and Land Surveyors of California for permission to file an amicus curiae brief in support of defendants and real parties in interest is hereby granted.

An answer thereto may be served and filed by any party within 20 days of the filing of the brief.

S147395 B193747 Second Appellate District, Div. 8
Application for stay and petition for review denied.

ANDERSON (BRITTIE D.) ON H.C.**S147429**

Petition for writ of mandate denied.

BELL (HORACE) v. CLARK (KEN)

S147431 B193960 Second Appellate District, Div. 6
Petition for review denied.

VASQUEZ (SYLVIA J.) ON H.C.**S140520**

Petition for writ of habeas corpus denied.

PULSIPHER (STEVEN) ON H.C.**S141200**

Petition for writ of habeas corpus denied.

LOPEZ (FRANK) ON H.C.**S141270**

Petition for writ of habeas corpus denied.

CERVANTES (JOHN) ON H.C.**S141354**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

MAIN (ALEX D.) ON H.C.**S141358**

Petition for writ of habeas corpus denied.

SALAZAR (JOSE) ON H.C.

S141376**TAYLOR (JERRY L.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S141396

Petition for writ of habeas corpus is denied.

FLIPPIN (DORIAN E.)

Corrigan, J., was recused and did not participate.

S141425**RODRIGUEZ (LOUIS S.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S141460**JOHNSON (JERRY) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S141464**PIERRE (ANTONIO) ON H.C.**

Petition for writ of habeas corpus denied.

S141468**MCGAUGHY (BARNARD A.) ON H.C.**

Petition for writ of habeas corpus denied.

S141482**JONES (MARK) ON H.C.**

Petition for writ of habeas corpus denied.

S141511**JOHNSON (LAMERLE) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

Corrigan, J., was recused and did not participate.

S141545**MUHAMMAD (SHAKA) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)

S141553**CLEMONS (RODNEY) ON H.C.**

Petition for writ of habeas corpus denied.

S141561**HUNTER (TREMAINE) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Lindley* (1947) 29 Cal.2d 709; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S141565**HERNANDEZ (CONFESOR) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S141568**BRIMMER (CHARLES) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709; *In re Miller* (1941) 17 Cal.2d 734.)

S141604**LUCAS (ISIAH) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Miller* (1941) 17 Cal.2d 734; *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218.)

S141612**LUGO (JESUS A.) ON H.C.**

Petition for writ of habeas corpus denied.

S141675**DUKE (WILLIAM C.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 464, 474.)

S141679**NEALE (JOSEPH N.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S141680**WILLIAMS (KENNETH) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Dannenberg* (2005) 34 Cal.4th 1061.)

S141684**DAILEY (ARGUSTA) ON H.C.**

Petition for writ of habeas corpus denied.

S141685**MITCHELL (WILLIE) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Dixon* (1953) 41 Cal.2d 756; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Miller* (1941) 17 Cal.2d 734.)

S141696**HAMPTON (EDDIE) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)

S141703**NUNN (PATRICK J.) ON H.C.**

Petition for writ of habeas corpus denied.

S141712**WALKER (EUGENE) ON H.C.**

Petition for writ of habeas corpus denied.

S141715**GHOLAR (JOHN R.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Miller* (1941) 17 Cal.2d 734; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Clark* (1993) 5 Cal.4th 750.)

S141723**MONTGOMERY (SEAN) ON H.C.**

Petition for writ of habeas corpus denied.

S141736**PRICE (WILLIAM H.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304.)

S141738**RIDER (MATTHEW CARL) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Miller* (1941) 17 Cal.2d 734; *In re Lindley* (1947) 29 Cal.2d 709.)

S141769**SADA (DANIEL) ON H.C.**

Petition for writ of habeas corpus denied.

S141772**WILLIAMS (JEREM) ON H.C.**

Petition for writ of habeas corpus denied.

S141774**MENDOZA (MOISES) ON H.C.**

Petition for writ of habeas corpus denied.

S141778**DUFFIE (KEVIN KYLE) ON H.C.**

Petition for writ of habeas corpus denied.

S141802**RHODEN (WILLIAM R.) ON H.C.**Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S142232****DUFFIE (KEVIN K.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *People v. Gipson* (2004) 117 Cal.App.4th 1065, 1068-1070.)**S142658****JOHNSON (LAMERLE R.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**S146223****HUNTER (TREMAINE) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**S146889****VENOYA (JULIA C.) ON H.C.**

Petition for writ of habeas corpus denied.

S146891**AL-ZAGHARI (EVA D.) ON H.C.**

Petition for writ of habeas corpus denied.

S147214**PARKS (CHARLES A.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**S147226****GADDINI (NINO) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 464, 474.)**S147227****GLASS (GUY) ON H.C.**

Petition for writ of habeas corpus denied.

S147278**MILLER (ISADORE C.) ON H.C.**

Petition for writ of habeas corpus denied.

S147375**THOMSON (THOMAS N.) v. STATE BAR
OF CALIFORNIA**

The Petition for Review of Interim Ruling of the State Bar Court and to Vacate Inactive Status is denied. Petitioner is referred for investigation to the State Bar as to whether he has been practicing law on inactive status.

S147704 H030762 Sixth Appellate District **CAMPBELL (DESHAWN L.) v. S.C. (THE PEOPLE)**

Pending finality of the petition for review herein, the superior court's order compelling defendant to submit to an examination by the prosecutor's expert, entered on October 16, 2006, in the case of Santa Clara County Superior Court, Case number CC126494, entitled *People v. DeShawn Lee Campbell*, is hereby stayed.

S131552 D042903 Fourth Appellate District, Div. 1 **HARRON (THOMAS J.) v. BONILLA (JAIME)**

The request for an order directing republication of the opinion in the above-entitled appeal is denied.

S145927 B179370 Second Appellate District, Div. 1 **HARRIS (GENE) v. VERIZON**

The requests for an order directing depublication of the opinion in the above-entitled matter are denied.

S146075 A111672 First Appellate District, Div. 2 **SMITH (KEVIN) v. HAYES-WHITE**

The request for an order directing publication of the opinion in the above-entitled appeal is denied.

S146407 E037436 Fourth Appellate District, Div. 2 **PRYOR (MARIA) v. RALPHS GROCERY COMPANY**

The request for an order directing partial-publication of the opinion in the above-entitled appeal is denied.

S146675 B193565 Second Appellate District, Div. 8 **MARTINEZ (FRANK) v. S.C. (PASLEY)**

The request for an order directing depublication of the opinion in the-above entitled appeal is denied.

S107782 **WELCH (DAVID E.) ON H.C.**

Good cause appearing, and based upon counsel Wesley A. Van Winkle's representation that he anticipates filing the reply to respondent's return to order to show cause by November 30, 2006, counsel's request for an extension of time in which to file that document is granted to November 30, 2006. After that date, no further extension is contemplated.

S142549 **BODE (CLIFTON) ON H.C.**

On application of the Attorney General and good cause appearing, it is ordered that the time to serve and file the informal response is extended to November 15, 2006.

S147301 C049623 Third Appellate District **RORKE (MICHAEL) v. COUNTY OF SISKIYOU (MOTHER MC CLOUD ENTERPRISES)**

On application of real party in interest and represent and good cause appearing, it is ordered that the time to serve and file the answer to petition for review is extended to November 8, 2006.

S016730 **PEOPLE v. STEELE (RAYMOND E.)**

God cause appearing, the application of appointed counsel for permission to withdraw as attorney of record for condemned prisoner Raymond Edward Steele, filed October 5, 2006, is granted. The order appointing Gregory Marshall as counsel of record for condemned prisoner Raymond Edward Steele, filed December 10, 1997, is hereby vacated. Peter Giannini is hereby appointed counsel of record for condemned prisoner Raymond Edward Steele. Counsel is appointed for purposes of all postconviction proceedings in this court, and for subsequent proceedings, including the preparation and filing of a petition for clemency with the Governor of California, as appropriate.

S099770**PEOPLE v. COOPER (LEON C.)**

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant Leon Chauncey Cooper for the direct appeal in the above automatic appeal now pending in this court.

S103358**PEOPLE v. BARRERA (MARCO E.)**

Upon request of appellant for appointment of counsel, the State Public Defender is hereby appointed to represent appellant Marco Esquivel Barrera for the direct appeal in the above automatic appeal now pending in this court.

S034800**PEOPLE v. DEHOYOS (RICHARD L.)**

Good cause appearing, appellant's "Second Application for an Order Allowing Counsel to Inspect and Copy Sealed and Confidential Transcripts in the Record on Appeal," filed on October 6, 2006, is granted in part. Counsel is granted access to pages 1068-1072 and 1162-1167 of the Reporter's Transcript of the first trial; access to page 1136 is denied because the page is not included in the requested confidential juror voir dire proceedings. To the extent the parties quote, disclose, or describe these materials in any court papers, those papers must be filed or lodged under seal. Counsel must supply the personnel and equipment necessary to undertake this review and copying of the records, which must occur on the premises of the court.

S111336**BENAVIDES FIGUEROA ON H.C.**

Petitioner's "Motion to Amend Petition for Writ of Habeas Corpus" filed on August 29, 2006, is deemed a motion to set a date for the filing of an amended petition and is granted as follows:

Petitioner is granted leave to file an amended petition for writ of habeas corpus on or before September 1, 2007, as necessary as a result of the allegedly fraudulent work product of Habeas Corpus Resource Center (HCRC) Investigator Kathleen Culhane. Petitioner's amended petition must comply with all requirements stated in California Rules of Court, rule 56, and must be organized in a manner that categorizes and identifies claims as follows:

- (1) Claims that were raised in the original petition filed on November 12, 2002, ("original petition") and that are reasserted in the amended petition without any modifications to either the allegations in the original claim or any supporting exhibits referenced in the original claim, excluding stylistic or editorial changes that do not change the asserted legal basis for relief;
- (2) Claims that were raised in the original petition and that are reasserted in the amended petition without change to the asserted legal basis for relief but with modifications to either the allegations in the original claim or any supporting exhibits referenced in the original claim as a result of HCRC's investigation of Ms. Culhane's allegedly fraudulent work product; and (3) Claims for which the asserted legal basis for relief was not raised in the original petition and that are asserted in the amended petition for the first time as a result of HCRC's investigation of Ms. Culhane's allegedly fraudulent work product.

With respect to each claim raised in the amended petition, petitioner must provide the original claim number or

original exhibit number, respectively, for any claim or exhibit that has been renumbered in the amended petition. Regarding each claim raised under Category 1 or 2 in the amended petition, petitioner must describe each modification to the original claim or original exhibit.

In light of the original petition filed on November 12, 2002, each claim properly raised in the amended petition under Category 1 as described above will be presumed to be filed without substantial delay. (See Supreme Court Policies Regarding Cases Arising From Judgments of Death (Policies), Policy 3, std.

1-1.1.) With respect to each other claim raised in the amended petition, petitioner must allege, with specificity, facts "establishing (i) absence of substantial delay, (ii) good cause for the delay, or (iii) that the claim falls within an exception to the bar of untimeliness." (In re Robbins (1998) 18 Cal.4th 770, 780-781, original emphasis; see also (Policies, Policy 3, std. 1-1.2, 1-2.) Respondent may file an informal response to the amended petition on or before October 31, 2007.

S120980**MONTERROSO (CHRISTIAN) ON H.C.**

Petitioner's "Motion to Amend Petition for Writ of Habeas Corpus" filed on August 30, 2006, is deemed a motion to set a date for the filing of an amended petition and is granted as follows:

Petitioner is granted leave to file an amended petition for writ of habeas corpus on or before March 31, 2007, as necessary as a result of the allegedly fraudulent work product of Habeas Corpus Resource Center (HCRC) Investigator Kathleen Culhane. Petitioner's amended petition must comply with all requirements stated in California Rules of Court, rule 56, and must be organized in a manner that categorizes and identifies claims as follows:

(1) Claims that were raised in the original petition filed on December 8, 2003, ("original petition") and that are reasserted in the amended petition without any modifications to either the allegations in the original claim or any supporting exhibits referenced in the original claim, excluding stylistic or editorial changes that do not change the asserted legal basis for relief;

(2) Claims that were raised in the original petition and that are reasserted in the amended petition without change to the asserted legal basis for relief but with modifications to either the allegations in the original claim or any supporting exhibits referenced in the original claim as a result of HCRC's investigation of Ms. Culhane's allegedly fraudulent work product; and

(3) Claims for which the asserted legal basis for relief was not raised in the original petition and that are asserted in the amended petition for the first time as a result of HCRC's investigation of Ms. Culhane's allegedly fraudulent work product.

With respect to each claim raised in the amended petition, petitioner must provide the original claim number or original exhibit number, respectively, for any claim or exhibit that has been renumbered in the amended petition. Regarding each claim raised under Category 1 or 2 in the amended petition, petitioner must describe each modification to the original claim or original exhibit.

In light of the original petition filed on December 8, 2003, each claim properly raised in the amended petition under Category 1 as described above will be presumed to be filed without substantial delay. (See Supreme Court Policies Regarding Cases Arising From Judgments of Death (Policies), Policy 3, std.

1-1.1.) With respect to each other claim raised in the amended petition, petitioner must allege, with specificity, facts "establishing (i) absence of substantial delay, (ii) good cause for the delay, or (iii) that the claim falls within an exception to the bar of untimeliness." (In re Robbins (1998) 18 Cal.4th 770, 780-781, original emphasis; see also (Policies, Policy 3, std. 1-1.2, 1-2.)

Respondent may file an informal response to the amended petition on or before April 30, 2007. (California Rules of Court, rules 60, 60.5.)

S133805

A104689 First Appellate District, Div. 2

TAUS (NICOLE) v. LOFTUS (ELIZABETH)

Appellants' motion for judicial notice filed on October 5, 2005, supplemental motion for judicial notice filed on January 18, 2006, and second supplemental motion for judicial notice filed on September 6, 2006, are granted.

S145875**SUSPENSION DUES NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 22, 2006, effective September 18, 2006, be amended nunc pro tunc to strike the name **DALE ELIAH KANTER, #107130**.

S145875**SUSPENSION DUES NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 22, 2006, effective September 18, 2006, be amended nunc pro tunc to strike the name **BERT C. COZART, #162125**.

S145875**SUSPENSION DUES NONPAYMENT**

Due to clerical error on the part of The State Bar of California, and good cause appearing, it is ordered that the order of suspension for nonpayment of fees filed on August 22, 2006, effective September 18, 2006, be amended nunc pro tunc to strike the name **SHARON LUDLAM, #152443**.

S146232**MILNER ON DISCIPLINE**

It is hereby ordered that **DENNIS VANCE MILNER, State Bar No. 113464**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S146234**PLEFKA ON DISCIPLINE**

It is hereby ordered that **MICHAEL JOSEPH PLEFKA, State Bar No. 97120**, be disbarred from the practice of law and that his name be stricken from the roll of attorneys. Respondent is also ordered to comply with rule 955 of the California Rules of Court, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is effective.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S146235**VORHES ON DISCIPLINE**

It is ordered that **JONATHAN CLAY VORHES, State Bar No. 190033**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be placed on probation for two years subject to the conditions of probation, including 90 days actual suspension, recommended by the Hearing Department of the State Bar Court in its Order Approving Stipulation filed on July 18, 2006. It is also ordered that he take and pass the Multistate Professional Responsibility Examination within one year after the effective date of this order. (See *Segretti v. State Bar* (1976) 15 Cal.3d 878, 891, fn. 8.) It is further ordered that he comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the effective date of this order.*

Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S146238**ROBERTS ON DISCIPLINE**

It is ordered that **DAVID EUGENE ROBERTS, State Bar No. 51430**, be suspended from the practice of law for one year, that execution of the suspension be stayed, and that he be actually suspended from the practice of law for eight months and until the State Bar Court grants a motion to terminate his actual suspension pursuant to rule 205 of the Rules of Procedure of the State Bar of California as recommended by the Hearing Department of the State Bar Court in its decision filed on June 20, 2006. Respondent is also ordered to comply with the conditions of probation, if any, hereinafter imposed by the State Bar Court as a condition for terminating his actual suspension. If respondent is actually suspended for two years or more, he must remain actually suspended until he provides proof to the Professional Misconduct. It is further ordered that respondent comply with rule 955 of the California Rules of Court, and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of this order.* Costs are awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. & Prof. Code, § 6126, subd. (c).)

S147603**PINEDA ON RESIGNATION**

The voluntary resignation of **WALTER RAFAEL PINEDA, State Bar No. 97293**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* It is recommended that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

S147604**WASHINGTON ON RESIGNATION**

The voluntary resignation of **Keith Darran Washington, State Bar No. 156990**, as a member of the State Bar of California is accepted without prejudice to further proceedings in any disciplinary proceeding pending against respondent should he hereafter seek reinstatement. It is ordered that he comply with rule 955 of the California Rules of Court and that he perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the date this order is filed.* It is recommended that costs be awarded to the State Bar in accordance with Business and Professions Code section 6086.10 and are enforceable both as provided in Business and Professions Code section 6140.7 and as a money judgment.

*(See Bus. and Prof. Code, § 6126, subd. (c).)

